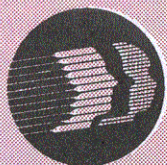
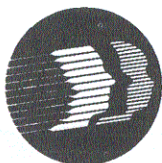


REPORTING
AND
INVESTIGATION
OF
SUSPECTED
ABUSE,
NEGLECT,
MISTREATMENT,
MISAPPROPRIATION
OF PROPERTY, AND
SIGNIFICANT INJURY
OF CLIENTS
OF DAY PROGRAMS
OPERATED FOR
DSAAPD





The Delaware Health and Social Services Policy Memorandum # 46

In 1997, the Delaware Department of Health and Social Service (DHSS) issued a revised policy on the subject of standardized reporting and investigation of suspected abuse, neglect, mistreatment, misappropriation of property and significant injury of residents and clients receiving services in residential facilities and day programs operated by or for DHSS.

The purpose of the policy is to protect the rights of clients and residents to be free from abuse, neglect, mistreatment, misappropriation of property or significant injury.

In accordance with the DHSS policy, the DHSS Division of Services for Aging and Adults with Physical Disabilities has established reporting and investigation procedures for day programs which receive funding and support from the Division. This brochure is intended to inform staff, clients and family of their rights and responsibilities.

What is meant by Abuse, Neglect, Mistreatment, etc?

Physical Abuse can be defined as unnecessary infliction of pain or injury through acts such as, but not limited to, hitting, kicking, hair pulling, sexual molestation, etc. Emotional abuse would include ridiculing or demeaning a client, cursing or making derogatory remarks towards a client, or threatening to inflict physical or emotional harm to a client.



Neglect constitutes lack of attention to the physical needs of a client, such as toileting, bathing, meals and safety. It also includes failure to carry out a prescribed treatment plan, or failure to report observed health problems or changes in a patient's condition to an immediate supervisor or nurse.



Mistreatment means the inappropriate use of medications, isolation or physical or chemical restraints on or of a client.



Significant Injury is one which is life threatening or causes severe disfigurement or significant impairment of bodily organ(s) or function(s) which cannot be justified on the basis of medical diagnosis or through internal investigation.



Misappropriation of Property means the theft of client money or property, use of client money or property without permission of the client or guardian, acceptance by staff of client money or property regardless of permission and mishandling of client money or property.

Who is required to report?

Every employee or anyone else providing services in a day program receiving funding from the Division of Services for Aging and Adults with Physical Disabilities is required to report observed or suspected abuse, neglect or mistreatment of a client. This includes administrators, supervisors, direct care staff, professionals and ancillary providers.

In addition to those who are required to report, others, including clients, families and visitors, though not required to do so, are encouraged to report.

Should abuse by another client be reported?

Reporting of client-to-client abuse to the Adult Protective Services Unit is not required. Such matters should be reported to administrators of the program who will follow their own policy for handling such incidents. Only in cases where there is reason to believe that the abuse or injury may be related to neglect by an employee should it be reported to the Adult Protective Services Unit.

What happens after a report is made?

The Adult Protective Services Unit will conduct an on-site investigation of the alleged or suspected abuse, neglect or mistreatment. The case will be referred to the Office of the Attorney General for follow-up and possible prosecution, if appropriate.

How is a report made?

Any employee of the day program, or anyone who provides services to clients of the day program who has good reason to suspect that abuse, neglect, mistreatment, misappropriation of property or significant injury has occurred is required to take the following actions; 1) assure that the client receives any necessary medical attention immediately; 2) is protected from further harm, and 3) notify day program Director and the Adult Protective Services Unit immediately.

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Each report must include the following information:

- The name, address, telephone number, and sex of the client.
- The age of the client, if known.
- The name, address and telephone number of the reporter.
- Any information relative to the nature and extent of the abuse, neglect, mistreatment, misappropriation of property or significant injury.
- What action, if any, was taken to treat or otherwise assist the resident or client.
- The name, address and telephone number(s) of any witnesses to the incident, and the identity of the alleged perpetrator, if known.
- Any other information which the reporter believes to be relevant in establishing the cause of such abuse, neglect, mistreatment, misappropriation of property or significant injury.

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The report may initially be made orally, but must be followed up with a written report within 24 hours.

Clients, family members or friends who wish to make a report may do so by informing a day program staff member who will trigger the reporting activities, or they may contact the Adult Protective Services Unit directly.

Where does the report go?

The addresses and telephone numbers of the Adult Protective Services Unit offices are listed below. Reports should be made directly to these offices between the hours of 8:00 a.m. and 4:30 p.m., Monday through Friday. Reports may be faxed at any time.

NEW CASTLE COUNTY

University Office Plaza
256 Chapman Road, Suite 200
Newark, DE 19702

(302) 453-3820
(800) 223-9074
Fax (302) 453-3836
TDD (302) 453-3837



KENT/SUSSEX COUNTIES

Milford State Service Center Complex
18 North Walnut Street
Milford, DE 19963

(302) 422-1386
(800) 223-9074
Fax (302) 422-1346
TDD (302) 422-1415